

**Finding of No Significant Impact  
Bureau of Land Management  
Rawlins Field Office  
Lander Field Office**

**Red Desert Complex Herd Management Area Gather  
DOI-BLM-WY-030-EA15-63**

**BACKGROUND**

The proposed action is for removal of excess wild horses from the Lost Creek, Stewart Creek, Green Mountain, Crooks Mountain and Antelope Hills Herd Management Areas (HMAs) – collectively called Red Desert Complex

The following alternatives were analyzed in detail:

- Alternative 1– Remove all wild horses outside of the HMA boundaries and utilize Fertility Control on mares to be released within HMA boundaries
- Alternative 2 (Proposed Action) – Remove excess wild horses inside and outside of the HMA boundaries, remove to Low Appropriate Management Level (AML), and utilize Fertility Control on mares to be released within HMA boundaries
- Alternative 3 (No Action) – No Gather or Removal

Alternatives 1 and 2 were developed based on the need to remove wild horses from outside of the HMA boundaries and to remove excess animals to manage the rangeland in a thriving natural ecological balance and multiple-use relationship and to prevent rangeland deterioration. The removal of excess wild horses will ensure that the wild horses remaining within the HMAs have adequate forage and water to survive and maintain satisfactory physical condition. Removal of excess wild horses will also help to sustain the long-term productivity of the rangeland resources on the public lands that wild horses depend on. Although Alternative 3 (No Action) does not comply with the Wild Free-Roaming Horses and Burros Act of 1971, as amended, and Section 2 (b) (4) of the Public Rangelands Improvement Act of 1978, nor meet the purpose and need for this action; it is included as a basis for comparison with the two action alternatives.

**PLAN CONFORMANCE AND CONSISTENCY**

The proposed action is in conformance with the land use plan terms and conditions as required by 43 CFR 1610.5-3(a). Any action in the Rawlins or Lander Field Offices is subject to requirements established by the Rawlins Resource Management Plan (RMP) (2008), as amended, and the Lander RMP (2014), respectively. The Red Desert Complex has been designated as suitable for long-term, sustained wild horse use in the Rawlins and Lander field office areas. The proposed capture and removal conforms to the land use decisions and resource management goals and objectives of the Rawlins and Lander RMPs.

**FINDING OF NO SIGNIFICANT IMPACT DETERMINATION**

Based upon the information contained in the attached environmental assessment, *Red Desert Complex Herd Management Area Gather*, and all other information available to me, it is my

determination that: (1) the implementation of Alternative 2 (Proposed Action) will not have significant environmental impacts beyond those already addressed in the Rawlins and Lander RMPs; (2) Alternative 2 (Proposed Action) is in conformance with the RMPs; and (3) Alternative 2 (Proposed Action) does not constitute a major federal action having a significant effect on the local human environment. Therefore, an environmental impact statement is not necessary and will not be prepared.

This finding is based on my consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and to the intensity of the impacts described in the EA or as articulated in the letters of comment.

#### *Context*

The Red Desert Herd Management area covers more than 753,000 acres of public, State, and private lands in Sweetwater, Carbon, Fremont and Natrona counties in southcentral Wyoming. The AML for the Stewart Creek HMA is 125-175 wild horses and for the Lost Creek HMA is 60-82; these were established by the Rawlins RMP (2008). The AML for the Antelope Hills HMA is 60-82, Crooks Mountain HMA 65-85, and Green Mountain HMA 170-300; these were established in the Lander RMP (2014). Currently, the estimated population within the Complex (after the 2016 foaling season) is estimated to be approximately 2,620 wild horses. In combination, the Complex is exceeding the low AMLs by 2,096 horses. Wild horses were last removed from the Complex in November 2011.

#### *Intensity*

I have considered the potential intensity of the impacts anticipated from Alternative 2 (Proposed Action), based on the ten intensity factors set forth in 40 CFR 1508.27(b). My conclusions with respect to each factor are summarized briefly below:

##### *1. Impacts that may be both beneficial and adverse.*

The proposed gather is consistent with the 2008 Rawlins RMP, as amended, and the 2014 Lander RMP, and would maintain a thriving natural ecological balance and multiple use relationship consistent with other resource needs as required under the Wild Free-Roaming Horse and Burro Act of 1971 and Section 2(b)(4) of the Public Rangelands Improvement Act of 1978 (PRIA).

As described in the EA, potential adverse impacts from the implementation of Alternative 2 (Proposed Action) include: handling stress and potential injury to wild horses from the gather operations and/or fertility control inoculation; temporary displacement of wildlife near trap sites; trampling of some vegetation and soil compaction at the trap sites; and temporary closure of habitat areas near trap sites or temporary holding facilities. However, none of these impacts would be significant at the local scale or cumulatively because of the relative scale and short duration of the project, design features of the Proposed Action, and standard operating procedures (SOP's) outlined in Appendices 1 (SOP's for wild horse gathers) and 4 (SOP's for application of fertility control).

Potential beneficial impacts from the implementation of Alternative 2 (Proposed Action) include improvements in the quality and quantity of forage where excess or stray wild horses are removed. Since wildlife, livestock, and wild horses have similar dietary overlap (grasses and

forbs) the removal of excess wild horses would reduce the direct competition for forage and circumvent over-utilization of forage and further reduction in vegetative ground cover. The quantity of available forage throughout the HMAs could be increased. Vegetation composition, cover, and vigor could improve or be maintained near water sources where wild horses tend to congregate. Vegetative diversity and health should improve where excess wild horses are removed. Since all of the Red Desert Complex occurs within Greater Sage-Grouse habitat, removing excess wild horses would have a direct and beneficial effect on Greater Sage-Grouse habitat.

*2. The degree to which the proposed action affects public health and safety.*

The Standard Operating Procedures (Appendices 1 and 4 of the EA) would be used to conduct the gather and are designed to protect human health and safety, as well as the health and safety of the wild horses. Alternative 2 (Proposed Action) has no effect on public health and safety.

*3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

The Alternative 2 (Proposed Action) has no potential to affect unique characteristics such as historic or cultural resources or properties of concern to Native Americans. There are no wild and scenic rivers or ecologically critical areas present in the HMAs. Maintenance of appropriate numbers of wild horses is expected to help maintain resource objectives for improved riparian, wetland, aquatic and terrestrial habitat.

*4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

The effects of the implementation of Alternative 2 (Proposed Action) are presented in the EA document. “Whether a proposed action is ‘likely to be highly controversial’ under 40 CFR 1508.27(b)(4) is not a question about the extent of public opposition, but, rather, about whether a substantial dispute exists as to its size, nature, or effect.” *Missouri Coalition for the Environment*, 172 IBLA 226, 249 n.23 (2007). Comment letters on the EA provided no scientific evidence supporting claims that the project will have controversial effects within the meaning of this factor.

*5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

Possible effects on the human environment are not highly uncertain and do not involve unique or unknown risks. The analysis for the Alternative 2 (Proposed Action) does not show that this action would involve any unique or unknown risks. The BLM RFO and LFO have reviewed the National Academy of Science (NAS) report, “Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward”. Its recommendations do not suggest that the gather and removal of excess wild horses presents any unique or unknown risks, highly controversial effects, or would otherwise meet any other intensity factor of 40 CFR 1508.27(b).

*6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

After thorough analysis, the EA properly determined that Alternative 2 (Proposed Action) would result in no significant unmitigated effects. This conclusion is based on specific facts of this project and does not set a precedent for, or automatically apply to, future wild horse management actions. Future actions would be subject to evaluation through the appropriate level of NEPA analysis.

*7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

No project specific or cumulative impacts associated with Alternative 2 (Proposed Action) have been identified that could not be avoided through the project's design or appropriate mitigation and avoidance measures. The impacts identified do not exceed the level of impacts outlined in the Rawlins and Lander RMPs.

*8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.*

Direct or indirect impacts to cultural and historic resources are not anticipated to occur from implementation of Alternative 2. Surface disturbing activities at the trap locations would be minimal and no historic properties would be adversely affected due to site identification and avoidance of conflicts. The RFO or LFO archeologists would review all proposed temporary holding facility locations to determine if these have had a Class III cultural resources inventory, and/or if a new inventory is required. If cultural resources are encountered at proposed gather sites or temporary holding facilities, those locations would not be utilized unless they could be modified to avoid or mitigate adverse impacts to significant cultural resource site(s).

*9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

The Alternative 2 (Proposed Action) is not likely to adversely affect any listed species. Additionally, trap sites will be constructed and operated under the recommendations of a wildlife biologist to avoid adverse impacts to wildlife and their habitat, including known Greater Sage-Grouse leks, nesting and winter concentration areas, active raptor nests, white-tail prairie dog towns, Pygmy rabbit habitat, mountain plover nesting habitat, and big game crucial winter ranges and parturition areas.

*10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The Red Desert Complex Herd Management Area Gather does not threaten to violate any known federal, state, local, or tribal law or requirement imposed for the protection of the environment.

Additionally, the project is in compliance with both the Rawlins RMP Record of Decision approved on December 24, 2008, as amended, and the Lander RMP Record of Decision approved on June 26, 2014, management objectives for wild horses. All practicable means to avoid or minimize environmental harm and unnecessary or undue degradation of the public land are incorporated in the action alternatives.

Authorized Officials:



Dennis J. Carpenter  
Rawlins Field Manager

Date: JUN 07 2016



Richard Vander Voet  
Lander Field Office Manager

Date: 6/07/16